

SUSAN G. KUMLI
Acting Regional Solicitor
BRUCE L. BROWN
Associate Regional Solicitor
ADRIANA AHUMADA
Cal. Bar No. 274295
Trial Attorney
RACHEL UEMOTO
Cal. Bar No. 335405
UNITED STATES DEPARTMENT OF LABOR
90 7th Street, Suite 3-700
San Francisco, CA 94103-1516
Telephone: 415-625-7742
Ahumada.Adriana.E@dol.gov
*Attorneys for Plaintiff Martin J. Walsh,
United States Secretary of Labor*

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MARTIN J. WALSH,
Secretary of Labor,
United States Department of Labor,

Plaintiff,
v.

UNITED STATES POSTAL SERVICE,
Defendant.

Case No. 3:21-cv-06808

**Joint Fed. R. Civ. Prof. 26(f)
Conference Report**

1. The following persons participated in a Rule 26(f) conference on November 10 and 12, 2021 by video conference:

ADRIANA AHUMADA, representing PLAINTIFF MARTIN J. WALSH, SECRETARY OF LABOR, UNITED STATES DEPARTMENT OF LABOR;

RACHEL UEMOTO, representing PLAINTIFF MARTIN J. WALSH, SECRETARY OF LABOR, UNITED STATES DEPARTMENT OF LABOR;

COREY J. RANDENBERG, representing DEFENDANT UNITED STATES POSTAL SERVICE; and

YIFAN (“YVONNE”) EVERETT, representing DEFENDANT UNITED STATES POSTAL

SERVICE.

2. Initial Disclosures

The Parties will complete the initial disclosures required by Fed. R. Civ. Pro. 26(a)(1)(C) no later than January 31, 2022.

3. Discovery Plan

The parties propose this discovery plan:

i. The Secretary asserts that he will need discovery on Macauley Guerrero's hiring, employment, and termination with the U.S. Postal Service as well as any defenses that Defendant asserts, including any defenses in Defendant's answer. The Secretary also intends to depose the supervisors and any other individual who supervised Mr. Guerrero or was responsible for wrongfully terminating Mr. Guerrero as well as any physicians treating Mr. Guerrero for his work related injury. The Secretary will also need discovery about Mr. Guerrero's benefits and wages. The Secretary further reserves the right to discovery on any subject raised by Defendant during the course of this litigation.

ii. Defendant asserts that, based on the complaint's allegations, discovery will be necessary on Mr. Guerrero's employment and termination with the Postal Service. The Postal Service anticipates discovery will include, but not be limited to, Mr. Guerrero's performance of his duties both before and after his injury, his alleged damages, and his efforts to mitigate damages. Defendant intends to depose Mr. Guerrero as part of discovery. Defendant further reserves the right to conduct discovery on any subject raised by Plaintiff during the course of this litigation.

iii. Discovery will commence on December 15, 2021 and will be complete by May 16, 2022.

iv. The Parties request pre-trial conferences on dates that the Court determines appropriate, and as may be requested by the Parties as discovery progresses.

v. All dispositive motions shall be filed no later than July 22, 2022.

vi. The Court's schedule permitting, the Parties request that trial should commence

no later than January 23, 2023.

Respectfully submitted this 23rd day of November, 2021.

UNITED STATES POSTAL SERVICE
Employment Law Office - West
1300 Evans Ave., Rm. 217
P.O. Box 883790
San Francisco, CA 94188-3790

SEEMA NANDA
Solicitor of Labor

SUSAN G. KUMLI
Acting Regional Solicitor

BRUCE L. BROWN
Associate Regional Solicitor

RACHEL A. UEMOTO
Trial Attorney

By: /s/ Corey Randenberg
COREY J. RANDENBERG
Attorney

By: /s/Adriana Ahumada

ADRIANA AHUMADA
Trial Attorney

YVONNE EVERETT
Attorney

Attorneys for Plaintiff
U.S. DEPARTMENT OF LABOR

Attorneys for Defendant
U.S. POSTAL SERVICE

CASE MANAGEMENT ORDER

The above JOINT FEDERAL RULE OF CIVIL PROCEDURE 26(f) CONFERENCE REPORT & PROPOSED ORDER is approved as the dates for this case and all parties shall comply with its provisions. [in addition, the Court makes the further orders stated below:]

IT IS SO ORDERED.

DATED: _____, 2021

UNITED STATES DISTRICT/MAGISTRATE JUDGE